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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

RICHARD S. RODRIGUEZ a.k.a.)

RICHARD S. RODRIQUEZ;)

SHONNA L. RODRIGUEZ a.k.a.)

SHONNA L. RODRIQUEZ;)

THE RODRIGUEZ FAMILY LIVING)

TRUST; THE YAKIMA FAMILIA)

OUTREACH TRUST; YAKIMA)

COUNTY; WELLS FARGO HOME)

MORTGAGE, INC.; GREEN TREE)

SERVICING, LLC; CHASE BANK)

USA, N.A.; FIRST NATIONAL BANK)

OF OMAHA; and DISCOVER BANK,)

Case No. 1:18-cv-3038

COMPLAINT

1 Issuer of the Discover Card,)
2 Defendants.)
3 _____)

4 The United States of America (“United States”), by and through its
5 undersigned counsel, hereby alleges as follows:

6 **INTRODUCTION**

7 1. This is a civil action timely brought by the United States to: (i) reduce
8 to judgment the outstanding federal tax assessments against Defendants Richard S.
9 Rodriguez a.k.a. Richard S. Rodriquez (hereinafter referred to Richard S.
10 Rodriguez) and Shonna L. Rodriguez a.k.a. Shonna L. Rodriquez (hereinafter
11 referred to as Shonna L. Rodriguez); (ii) find that two separate parcels of improved
12 real property located in Yakima County, Washington, described more completely
13 below and referred to individually as the “Mieras Property” and “31st Avenue
14 Property” (collectively, “Subject Properties”), are held by a nominee and/or alter
15 ego of Defendants Richard S. Rodriguez and Shonna L. Rodriguez and/or that the
16 Subject Properties were fraudulently transferred; (iii) foreclose federal tax liens on
17 the Subject Properties; and (iv) sell the Subject Properties, and distribute the
18 proceeds from such sale in accordance with the Court’s findings as to the validity
19 and priority of the liens and claims of all the parties.

20 ///

JURISDICTION AND VENUE

2. This action is commenced pursuant to 26 U.S.C. §§ 7401 and 7403 at the direction of the Attorney General of the United States and with the authorization and request of the Chief Counsel of the Internal Revenue Service (hereinafter referred to as the “IRS”), a delegate of the Secretary of the Treasury of the United States.

3. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1340 and 1345, and 26 U.S.C. §§ 7402 and 7403.

4. Venue properly lies in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and 1396, because Richard S. Rodriguez and Shonna L. Rodriguez reside in the Eastern District of Washington and because the Subject Properties are located within the Eastern District of Washington.

DEFENDANTS

5. Richard S. Rodriguez is named as a defendant because he has unpaid federal tax liabilities and an ownership interest in the Subject Properties.

6. Shonna L. Rodriguez is named as a defendant because she has unpaid federal tax liabilities and an ownership interest in the Subject Properties.

7. Richard S. Rodriguez and Shonna L. Rodriguez are married.

8. On information and belief, Richard S. Rodriguez and Shonna L. Rodriguez use a modified spelling of their last name, Rodriquez, in order to cloud

1 title on the Subject Properties and/or to avoid creditors.

2 9. The Rodriguez Family Living Trust is named as a defendant pursuant
3 to 26 U.S.C. § 7403(b) because it may claim an interest in the Subject Properties.

4 10. The Yakima Familia Outreach Trust (hereinafter referred to as the
5 “YFO”), which may use other names including “Yakama Familia Outreach Trust”,
6 “Yakima Familia Outreach”, and “Yakama Familia Outreach”, is named as a
7 defendant pursuant to 26 U.S.C. § 7403(b) because it may claim an interest in the
8 Subject Properties.

9 11. On information and belief, YFO uses other names, as described in
10 paragraph 10, above, in order to cloud title on the Subject Properties.

11 12. Yakima County is named as a defendant pursuant to 26 U.S.C. §
12 7403(b) because it may claim an interest in the Subject Properties.

13 13. Wells Fargo Home Mortgage, Inc. (hereinafter referred to as “Wells
14 Fargo”) is named as a defendant pursuant to 26 U.S.C. § 7403(b) because it may
15 claim an interest in the Mieras Property.

16 14. Green Tree Servicing, LLC (hereinafter referred to as “Green Tree”)
17 is named as a defendant pursuant to 26 U.S.C. § 7403(b) because it may claim an
18 interest in the 31st Avenue Property.

19 15. Chase Bank USA, N.A. is named as a defendant pursuant to 26 U.S.C.
20 § 7403(b) because it may claim an interest in the Subject Properties.

1 21. On or about October 21, 1998, Richard S. Rodriguez and Shonna L.
2 Rodriguez acquired the Mieras Property as husband and wife by Statutory
3 Warranty Deed from RFB, Inc., a Corporation. The Statutory Warranty Deed was
4 recorded with the Yakima County Auditor's Office on October 30, 1998 (File #
5 7084943).

6 22. On or about June 13, 2003, Richard S. Rodriguez and Shonna L.
7 Rodriguez granted a Deed of Trust against the Mieras Property in consideration for
8 a loan in the amount of \$140,000.00 from Wells Fargo. The Deed of Trust was
9 recorded with Yakima County Auditor's Office on July 3, 2003 (File # 7343966).

10 23. On April 6, 2009, Shonna L. Rodriguez recorded a UCC Financing
11 Statement in the name of "Shonna Lee Rodriguez" with the Yakima County
12 Auditor's Office (File # 7648145). The UCC Financing Statement: listed "Shonna
13 Lee Rodriguez" as the debtor and secured party; identified the debtor as a trust
14 with transmitting utility; stated all property belonging to the debtor belongs to the
15 secured party; and listed the Mieras Property as collateral.

16 24. On April 6, 2009, Richard S. Rodriguez recorded a UCC Financing
17 Statement in the name of "Richard Salinas Rodriguez" with Yakima County
18 Auditor's Office (File # 7648146). The UCC Financing Statement: listed "Richard
19 Salinas Rodriguez" as the debtor and secured party; identified the debtor as a trust
20 with transmitting utility; stated all property belonging to the debtor belongs to the

1 secured party; and listed the Mieras Property as collateral.

2 25. On or about June 25, 2010, Richard S. Rodriguez and Shonna L.
3 Rodriguez purported to transfer the Mieras Property to The Rodriguez Family
4 Living Trust for no consideration by Quitclaim Deed. The Quitclaim Deed was
5 signed by Shonna L. Rodriguez and Richard S. Rodriguez as grantors and trustees.
6 The Quitclaim Deed was recorded with the Yakima County Auditor's Office on
7 June 25, 2010 (File # 7695614).

8 26. On or about June 25, 2010, The Rodriguez Family Living Trust
9 purported to transfer the Mieras Property to the YFO for no consideration by
10 Quitclaim Deed. The Quitclaim Deed was signed by Shonna L. Rodriguez and
11 Richard S. Rodriguez as grantors and trustees. The Quitclaim Deed was recorded
12 with the Yakima County Auditor's Office on June 25, 2010 (File # 7695615).

13 **31st Avenue Property**

14 27. The second parcel of real property has a street address of 1407 South
15 31st Avenue, Yakima, WA 98902, and is Yakima County Assessor Office's Parcel
16 Number 181326-33468 ("31st Avenue Property"). The 31st Avenue Property is
17 legally described as:

18 LOT 68, HAMILTON PARK ADDITION NO. 2, ACCORDING TO THE
19 PLAT THEREOF, RECORDED IN VOLUME "X" OF PLATS, PAGE 3,
RECORDS OF YAKIMA COUNTY, WASHINGTON.

20 28. On or about October 20, 2003, Richard S. Rodriguez and Shonna L.

1 Rodriguez acquired the 31st Avenue Property as husband and wife by Quitclaim
2 Deed from Richard S. Rodriguez, as his separate estate. The Quitclaim Deed was
3 recorded with the Yakima County Auditor's Office on October 21, 2003 (File #
4 7367056).

5 29. On or about October 14, 2003, Richard S. Rodriguez and Shonna L.
6 Rodriguez granted a Deed of Trust against the 31st Avenue Property in
7 consideration for a loan in the amount of \$75,050.00 from GMAC Mortgage Corp.
8 The Deed of Trust was recorded with Yakima County Auditor's Office on October
9 21, 2003 (File # 7367057).

10 30. On April 6, 2009, Shonna L. Rodriguez recorded a UCC Financing
11 Statement in the name of "Shonna Lee Rodriguez" with the Yakima County
12 Auditor's Office (File # 7648145). The UCC Financing Statement: listed "Shonna
13 Lee Rodriguez" as the debtor and secured party; identified the debtor as a trust
14 with transmitting utility; stated all property belonging to the debtor belongs to the
15 secured party; and listed the 31st Avenue Property as collateral.

16 31. On April 6, 2009, Richard S. Rodriguez recorded a UCC Financing
17 Statement in the name of "Richard Salinas Rodriguez" with Yakima County
18 Auditor's Office (File # 7648146). The UCC Financing Statement: listed "Richard
19 Salinas Rodriguez" as the debtor and secured party; identified the debtor as a trust
20 with transmitting utility; stated all property belonging to the debtor belongs to the

1 secured party; and listed the 31st Avenue Property as collateral.

2 32. On or about June 25, 2010, Richard S. Rodriguez and Shonna L.
3 Rodriguez purported to transfer the 31st Avenue Property to The Rodriguez Family
4 Living Trust for no consideration by Quitclaim Deed. The Quitclaim Deed was
5 signed by Shonna L. Rodriguez and Richard S. Rodriguez as grantors and trustees.
6 The Quitclaim Deed was recorded with the Yakima County Auditor's Office on
7 June 25, 2010 (File # 7695614).

8 33. On or about June 25, 2010, The Rodriguez Family Living Trust
9 purported to transfer the 31st Avenue Property to the YFO for no consideration by
10 Quitclaim Deed. The Quitclaim Deed was signed by Shonna L. Rodriguez and
11 Richard S. Rodriguez as grantors and trustees. The Quitclaim Deed was recorded
12 with the Yakima County Auditor's Office on June 25, 2010 (File # 7695615).

13 **FACTUAL BACKGROUND**

14 34. On or about October 16, 2008, Richard S. Rodriguez and Shonna L.
15 Rodriguez filed a Form 1040, U.S. Individual Income Tax Return, for the tax
16 period ending December 31, 2007.

17 35. The 2007 Form 1040 referenced in paragraph 32, above, reported
18 federal income tax due of \$237,663.00, and sought a refund of \$88,142.00. The
19 claimed refund was based, in part, on false refund returns containing false
20 withholding credits using false Forms 1099-R that artificially and inaccurately

1 inflated the amount of withholdings paid to the IRS to \$318,021.00.

2 36. The IRS issued a refund of \$87,642.00 for the federal income tax
3 period ending December 31, 2007 to Richard S. Rodriguez and Shonna L.
4 Rodriguez.

5 37. After issuance of the erroneous refund, the IRS assessed additional tax
6 and interest for the federal income tax period ending December 31, 2007 due to the
7 false withholding credits pursuant to 26 U.S.C. § 6201(a)(3).

8 38. On or about December 24, 2008, Richard S. Rodriguez and Shonna L.
9 Rodriguez filed a Form 1040X, Amended U.S. Individual Income Tax Return, for
10 the tax period ending December 31, 2005.

11 39. The 2005 Amended Form 1040 referenced in paragraph 38, above,
12 sought a refund of \$167,960. The claimed refund was based, in part, on false
13 refund returns containing false withholding credits using false Forms 1099-OID
14 that artificially and inaccurately inflated the amount of withholdings paid to the
15 IRS to \$256,579.

16 40. On or about December 24, 2008, Richard S. Rodriguez and Shonna L.
17 Rodriguez filed a Form 1040X, Amended U.S. Individual Income Tax Return, for
18 the tax period ending December 31, 2006.

19 41. The 2006 Amended Form 1040 referenced in paragraph 40, above,
20 sought a refund of \$172,387. The claimed refund was based, in part, on false

refund returns containing false withholding credits using false Forms 1099-OID that artificially and inaccurately inflated the amount of withholdings paid to the IRS to \$266,205.

42. On the dates and for the amounts listed in the chart below, a duly authorized delegate of the Secretary of the Treasury made timely assessments against Richard S. Rodriguez and Shonna L. Rodriguez, jointly, for unpaid federal income taxes (Form 1040: U.S. Individual Income Tax Return), penalties, interest, and other statutory additions for the taxable periods set forth below:

<u>Type of Tax</u>	<u>Tax Period</u>	<u>Assessment Date</u>	<u>Amount Assessed</u>	<u>Unpaid Balance Due as of January 31, 2018 (including accruals and credits)</u>
1040 (Income)	12/31/2007	11/03/2008	\$237,663.00 (t)	\$264,107.33
		01/26/2009	\$307,792.00 (t)	
		01/26/2009	\$10,979.30 (i)	
		11/05/2012	\$67,793.77 (fptp)	
		11/11/2013	\$26,810.54 (i)	
		11/10/2014	\$6,911.25 (i)	
TOTAL:				\$264,107.33

Key: t = tax

i = interest

fptp = failure to pay tax penalty (26 U.S.C. § 6651)

43. On the dates and for the amounts listed in the chart below, a duly authorized delegate of the Secretary of the Treasury made timely assessments against Richard S. Rodriguez, individually, for unpaid civil penalties pursuant to

26 U.S.C. § 6702 (penalty for frivolous tax submissions)¹, penalties, interest, and other statutory additions for the taxable periods set forth below:

<u>Type of Tax</u>	<u>Tax Period</u>	<u>Assessment Date</u>	<u>Amount Assessed</u>	<u>Unpaid Balance Due as of January 31, 2018 (including accruals and credits)</u>
6702 (Civil Penalty)	12/31/2005	08/31/2009 11/11/2013 11/10/2014	\$5,000.00 (t) \$790.98 (i) \$179.78 (i)	\$46.11
	12/31/2006	09/14/2009 11/11/2013 11/10/2014	\$5,000.00 (t) \$767.11 (i) \$175.13 (i)	\$6,667.08
	12/31/2007	10/18/2010 11/11/2013 11/10/2014	\$5,000.00 (t) \$535.22 (i) \$173.26 (i)	\$6,595.54
TOTAL:				\$13,308.73

Key: t = tax
i = interest

44. On the dates and for the amounts listed in the chart below, a duly authorized delegate of the Secretary of the Treasury made timely assessments against Shonna L. Rodriguez, individually, for unpaid civil penalties pursuant to 26

¹ A penalty under 26 U.S.C. § 6702 is considered a “tax.” *See* 26 U.S.C. § 6671(a) (“Except as otherwise provided, any reference in [Title 26] shall be deemed also to refer to the penalties and liabilities provided by [Subchapter B-Assessable Penalties].”)

U.S.C. § 6702 (penalty for frivolous tax submissions), penalties, interest, and other statutory additions for the taxable periods set forth below:

<u>Type of Tax</u>	<u>Tax Period</u>	<u>Assessment Date</u>	<u>Amount Assessed</u>	<u>Unpaid Balance Due as of January 31, 2018 (including accruals and credits)</u>
6702 (Civil Penalty)	12/31/2005	08/31/2009 10/07/2013 10/06/2014 10/12/2015	\$5,000.00 (t) \$772.59 (i) \$180.47 (i) \$197.75 (i)	\$7,263.20
	12/31/2006	09/14/2009 10/07/2013 10/06/2014 10/12/2015	\$5,000.00 (t) \$750.54 (i) \$174.63 (i) \$183.45 (i)	\$6,667.08
	12/31/2007	10/18/2010 10/07/2013 10/06/2014 10/12/2015	\$5,000.00 (t) \$504.52 (i) \$167.17 (i) \$175.60 (i)	\$6,381.88
TOTAL:				\$20,312.16

Key: t = tax
i = interest

COUNT ONE: REDUCE FEDERAL TAX ASSESSMENTS TO JUDGMENT AGAINST DEFENDANTS RICHARD S. RODRIGUEZ AND SHONNA L. RODRIGUEZ

45. The United States incorporates by reference paragraphs 1 through 44, above, as if fully set forth here.

46. Timely notice stating the amounts and demanding payments of the assessments set forth in paragraphs 42 through 44, above, was given to Richard S.

1 Rodriguez and Shonna L. Rodriguez, as required by 26 U.S.C. § 6303.

2 47. Despite timely notice and demand for payment of the assessments
3 described in paragraphs 42 through 44, above, Richard S. Rodriguez and Shonna
4 L. Rodriguez have neglected, failed, and/or refused to make full payment of the
5 assessed amounts to the United States.

6 48. The United States has established a claim against Richard S.
7 Rodriguez and Shonna L. Rodriguez in the amount of \$264,107.33 for unpaid
8 federal income taxes for the assessments described in paragraph 42, above, as of
9 January 31, 2018. Additional unassessed interest and other statutory additions as
10 provided by law will accrue on this balance.

11 49. The United States has established a claim against Richard S.
12 Rodriguez in the amount of \$13,308.73 for unpaid civil penalties for the
13 assessments described in paragraph 43, above, as of January 31, 2018. Additional
14 unassessed interest and other statutory additions as provided by law will accrue on
15 this balance.

16 50. The United States has established a claim against Shonna L.
17 Rodriguez in the amount of \$20,312.16 for unpaid civil penalties for the
18 assessments described in paragraph 44, above, as of January 31, 2018. Additional
19 unassessed interest and other statutory additions as provided by law will accrue on
20 this balance.

**COUNT TWO: TO DETERMINE THAT DEFENDANTS
RICHARD S. RODRIGUEZ AND SHONNA L. RODRIGUEZ ARE THE
TRUE OWNERS OF THE SUBJECT PROPERTIES**

51. The United States incorporates by reference paragraphs 1 through 50, above, as if fully set forth here.

52. On or about February 5, 2010, the YFO, calling itself as the “Yakima Familia Outreach”, was registered as a non-profit corporation with the Washington Secretary of State (UBI Number 602 989 278). Richard Rodriguez is listed as the Registered Agent, Director, and President in filings with the Washington Secretary of State. Shonna Rodriguez is listed as the Secretary in filings with the Washington Secretary of State. The registered business address for the YFO is the Mieras Property.

53. The YFO, calling itself as the “Yakima Familia Outreach”, is also registered as a non-profit charitable organization with the Washington Secretary of State (Registration number 1128481). The registered organization address for the YFO is the Mieras Property.

54. The YFO has an IRS employer identification number ending 6833, but the YFO has never filed a tax return with the IRS.

55. On or about January 2010, prior to registration of the YFO, calling itself as the “Yakima Familia Outreach”, with the Washington Secretary of State, Richard S. Rodriguez began using the YFO to avoid IRS levies issued to his

1 employer, Babcock Services, Inc. (“Babcock”), by contracting with Babcock as a
2 consultant of the YFO and having payments made to the YFO.

3 56. Richard S. Rodriguez and/or Shonna L. Rodriguez deposited
4 payments from Babcock into bank accounts ending 2104 and 0262 held at Bank of
5 the West by the YFO. Richard S. Rodriguez and Shonna L. Rodriguez were both
6 authorized signatories on these bank accounts.

7 57. Richard S. Rodriguez and Shonna L. Rodriguez used the bank
8 accounts, described in paragraph 56, above, for their own personal use, until they
9 were closed on or about March 2013.

10 58. On April 20, 2010, a “Public Declaration of Trust” for the YFO,
11 calling itself as the “The Yakama Familia Outreach Trust”, was recorded with the
12 Yakima County Auditor’s Office (File # 7688819). This document refers to an
13 irrevocable trust agreement between The Rodriguez Family Living Trust and the
14 YFO, calling itself as the “Yakama Familia Outreach.” Richard S. Rodriguez
15 signed this document as President/Trustee of the YFO and Trustee of The
16 Rodriguez Family Living Trust.

17 59. The purported transfer of the Subject Properties from Richard S.
18 Rodriguez and Shonna L. Rodriguez to The Rodriguez Family Living Trust on or
19 about June 25, 2010 was for no consideration.

20 60. The purported transfer of the Subject Properties from Richard S.

1 Rodriguez and Shonna L. Rodriguez to The Rodriguez Family Living Trust on or
2 about June 25, 2010 was not for reasonably equivalent value.

3 61. The Rodriguez Family Living Trust is not registered with the
4 Washington Secretary of State.

5 62. The purported transfer of the Subject Properties from The Rodriguez
6 Family Living Trust to the YFO on or about June 25, 2010 was for no
7 consideration.

8 63. The purported transfer of the Subject Properties from The Rodriguez
9 Family Living Trust to the YFO on or about June 25, 2010 was not for reasonably
10 equivalent value.

11 64. The “Yakima Familia Outreach Trust” is not registered with the
12 Washington Secretary of State.

13 65. The Rodriguez Family Living Trust and YFO exist solely for the
14 purpose of holding title to the Subject Properties or for the purpose of holding title
15 to the Subject Properties.

16 66. After the purported transfers of title of the Mieras Property first to The
17 Rodriguez Family Living Trust and then to the YFO, Richard S. Rodriguez and
18 Shonna L. Rodriguez continued to reside in the Mieras Property and enjoy the use
19 and benefits of the Mieras Property.

20 67. Richard S. Rodriguez and Shonna L. Rodriguez have paid no rent to

1 either The Rodriguez Family Living Trust or to the YFO for their continued use of
2 the Mieras Property.

3 68. After the purported transfers of title to the 31st Avenue Property first
4 to The Rodriguez Family Living Trust and then to the YFO, Richard S. Rodriguez
5 and Shonna L. Rodriguez continued to receive rent from the tenant(s) at the 31st
6 Avenue Property and enjoy the use and benefits of the 31st Avenue Property.

7 69. After the purported transfer of title to the Subject Properties first to
8 The Rodriguez Family Living Trust and then to the YFO, Richard S. Rodriguez
9 and Shonna L. Rodriguez continued to make all choices with respect to the Subject
10 Properties.

11 70. The mortgage companies, Wells Fargo and Green Tree, for the Deeds
12 of Trusts, described in paragraphs 22 and 29, above, pay the property taxes for the
13 Mieras Property and 31st Avenue Property, respectively.

14 71. Richard S. Rodriguez is the account holder for the electrical utility for
15 the Mieras Property.

16 72. Based on the foregoing, and because Richard S. Rodriguez and
17 Shonna L. Rodriguez maintained a beneficial interest in and control over the
18 Subject Properties, to the extent that The Rodriguez Family Living Trust and/or the
19 YFO hold title to the Subject Properties, they do so as the nominees of Richard S.
20 Rodriguez and Shonna L. Rodriguez.

73. In addition, The Rodriguez Family Living Trust and the YFO are the alter egos of Richard S. Rodriguez and Shonna L. Rodriguez, and their forms should be disregarded because Richard S. Rodriguez and Shonna L. Rodriguez have abused the formalities of the Trust entity to evade payment of their federal tax liabilities and because disregard of the formalities of the Trust is necessary and required to prevent unjustified loss to the IRS.

74. In addition, the purported conveyances of the Subject Properties to The Rodriguez Family Living Trust and then to the YFO were fraudulent as to the United States.

75. The purported transfers of the Subject Properties to The Rodriguez Family Living Trust and then to the YFO were made with the actual intent to hinder, delay, or defraud the United States. Richard S. Rodriguez and Shonna L. Rodriguez transferred the Subject Properties to insiders, The Rodriguez Family Living Trust and then to the YFO, both entities that Richard S. Rodriguez and Shonna L. Rodriguez controlled. Richard S. Rodriguez and Shonna L. Rodriguez retain control and possession of the Subject Properties, and the purported transfers were substantially all of their assets. Further, Richard S. Rodriguez and Shonna L. Rodriguez, having engaged in a scheme to obtain an unlawful payment from the IRS based upon their fraudulent Form 1040 filing and engaged in various bank transactions to avoid IRS levies, concealed assets, and became insolvent after the

1 transfers. The purported transfers were thus fraudulent transfers that should be set
2 aside under RCW 19.40.041(a)(1) (version effective to July 22, 2017).

3 76. Alternatively, the purported transfers of the Subject Properties first to
4 The Rodriguez Family Living Trust and then to the YFO were made without
5 receiving reasonably equivalent value in exchange for the transactions and Richard
6 S. Rodriguez and Shonna L. Rodriguez intended to incur or reasonably should
7 have believed that they would incur debts beyond their ability to pay. The
8 purported transfers were thus fraudulent transfers that should be set aside under
9 RCW 19.40.41(a)(2) (version effective to July 22, 2017).

10 77. Richard S. Rodriguez and Shonna L. Rodriguez remain the true
11 owners of the Subject Properties.

12 78. Any claim to or interest in the Subject Properties by The Rodriguez
13 Family Living Trust and/or the YFO is fraudulent and/or non-existent. Any such
14 claim or interest was part of a scheme to defraud creditors of Richard S. Rodriguez
15 and Shonna L. Rodriguez, including the United States, and have no merit.

16 **COUNT THREE: TO FORECLOSE THE FEDERAL TAX LIENS**
17 **ENCUMBERING THE SUBJECT PROPERTY**

18 79. The United States incorporates by reference paragraphs 1 through 78,
19 above, as if fully set forth here.

20 80. Pursuant to 26 U.S.C. §§ 6321 and 6322, liens arose in favor of the
United States on the dates of the assessments set forth in paragraphs 42-44, above,
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1 and attached to all property and rights to property of Richard S. Rodriguez and
2 Shonna L. Rodriguez including the Subject Properties.

3 81. On March 17, 2009, in order to provide notice to third parties entitled
4 to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a Notice
5 of Federal Tax Lien (“NFTL”) against “Richard S. & Shonna L. Rodriguez” with
6 respect to unpaid federal income tax liabilities for the tax period ending December
7 31, 2007, with the Yakima County Auditor’s Office (File # 7645824).

8 82. On April 23, 2009, in order to provide notice to third parties entitled
9 to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded an
10 Amended NFTL against “Richard S. & Shonna L. Rodriguez” with respect to
11 unpaid federal income tax liabilities for the tax period ending December 31, 2007,
12 with the Yakima County Auditor’s Office (File # 7650247).

13 83. On February 8, 2010, in order to provide notice to third parties
14 entitled to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a
15 NFTL against “Richard S. Rodriguez” with respect to unpaid civil penalty
16 liabilities under 26 U.S.C. § 6702 for the tax periods ending December 31, 2005
17 and December 31, 2006, with the Yakima County Auditor’s Office (File #
18 7681651).

19 84. On March 4, 2011, in order to provide notice to third parties entitled
20 to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a NFTL

1 against “Richard S. Rodriguez” with respect to unpaid civil penalty liabilities
2 under 26 U.S.C. § 6702 for the tax period ending December 31, 2007, with the
3 Yakima County Auditor’s Office (File # 7721401).

4 85. On April 25, 2011, in order to provide notice to third parties entitled
5 to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a NFTL
6 against “Shonna L. Rodriguez” with respect to unpaid civil penalty liabilities under
7 26 U.S.C. § 6702 for the tax periods ending December 31, 2005, December 31,
8 2006, and December 31, 2007, with the Yakima County Auditor’s Office (File #
9 7726381).

10 86. On November 6, 2014, in order to provide notice to third parties
11 entitled to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a
12 NFTL against “Yakima Familia Outreach Trust, as the nominee of Rodriguez
13 Family Living Trust, as the nominee of Richard S. and Shonna L. Rodriguez aka
14 Rodriguez” with respect to unpaid federal income tax liabilities for the tax period
15 ending December 31, 2007 and concerning the Mieras Property, with the Yakima
16 County Auditor’s Office (File # 7854977).

17 87. On November 6, 2014, in order to provide notice to third parties
18 entitled to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a
19 NFTL against “Yakima Familia Outreach Trust, as the nominee of Rodriguez
20 Family Living Trust, as the nominee of Richard S. and Shonna L. Rodriguez aka

1 Rodriguez” with respect to unpaid federal income tax liabilities for the tax period
2 ending December 31, 2007 and concerning the 31st Avenue Property, with the
3 Yakima County Auditor’s Office (File # 7854978).

4 88. On November 6, 2014, in order to provide notice to third parties
5 entitled to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a
6 NFTL against “Yakima Familia Outreach Trust, as the nominee of Rodriguez
7 Family Living Trust, as the nominee of Richard S. Rodriguez aka Rodriguez” with
8 respect to unpaid civil penalty liabilities under 26 U.S.C. § 6702 for the tax periods
9 ending December 31, 2005, December 31, 2006, and December 31, 2007 and
10 concerning the Mieras Property, with the Yakima County Auditor’s Office (File #
11 7854979).

12 89. On November 6, 2014, in order to provide notice to third parties
13 entitled to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a
14 NFTL against “Yakima Familia Outreach Trust, as the nominee of Rodriguez
15 Family Living Trust, as the nominee of Richard S. Rodriguez aka Rodriguez” with
16 respect to unpaid civil penalty liabilities under 26 U.S.C. § 6702 for the tax periods
17 ending December 31, 2005, December 31, 2006, and December 31, 2007 and
18 concerning the 31st Avenue Property, with the Yakima County Auditor’s Office
19 (File # 7854980).

20 90. On November 20, 2014, in order to provide notice to third parties

1 entitled to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a
2 NFTL against “Yakima Familia Outreach Trust, as the nominee of Rodriguez
3 Family Living Trust, as the nominee of Shonna L. Rodriguez aka Rodriquez” with
4 respect to unpaid civil penalty liabilities under 26 U.S.C. § 6702 for the tax periods
5 ending December 31, 2005, December 31, 2006, and December 31, 2007² and
6 concerning the Mieras Property, with the Yakima County Auditor’s Office (File #
7 7856236).

8 91. On November 20, 2014, in order to provide notice to third parties
9 entitled to notice of the statutory liens under 26 U.S.C. § 6323, the IRS recorded a
10 NFTL against “Yakima Familia Outreach Trust, as the nominee of Rodriguez
11 Family Living Trust, as the nominee of Shonna L. Rodriguez aka Rodriquez” with
12 respect to unpaid civil penalty liabilities under 26 U.S.C. § 6702 for the tax periods
13 ending December 31, 2005, December 31, 2006, and December 31, 2007³ and
14

15 ² The NFTL contains a typographical error indicating that the kind of tax is for
16 Form 6672 (civil penalty for trust fund recovery penalties under 26 U.S.C. § 6672)
17 for the tax periods ending December 31, 2005 and December 31, 2006.

18 ³ The NFTL contains a typographical error indicating that the kind of tax is for
19 Form 6672 (civil penalty for trust fund recovery penalties under 26 U.S.C. § 6672)
20 for the tax periods ending December 31, 2005 and December 31, 2006.

1 concerning the 31st Avenue Property, with the Yakima County Auditor's Office
2 (File # 7856235).

3 92. The Subject Properties, including all fixtures thereon, are encumbered
4 with liens for the unpaid federal tax assessments described in paragraphs 42-44,
5 above.

6 93. The United States seeks to foreclose the federal tax liens above
7 through the sale of the Subject Properties.

8 94. The federal tax liens arising from the assessments described in
9 paragraphs 42-44, above, have priority over all interests in the Subject Properties
10 acquired after the attachment of the federal tax liens, subject to the provisions of 26
11 U.S.C. § 6323.

12 95. Under 28 U.S.C. § 7403(c), the United States is entitled to a decree of
13 sale of the Subject Properties to enforce its federal tax liens.

14 WHEREFORE, the Plaintiff, the United States prays as follows:

15 A. That this Court determine, adjudge, and decree that Defendants
16 Richard S. Rodriguez and Shonna L. Rodriguez are indebted to the United States
17 for unpaid federal income tax liabilities for tax year 2007, described in paragraph
18 42, above, in the amount of \$264,107.33 as of January 31, 2018, less any
19 subsequent payment or credits, plus interest and other statutory additions, as
20 provided by law, and that judgment in that amount be entered against Defendants

1 Richard S. Rodriguez and Shonna L. Rodriguez and in favor of the United States;

2 B. That this Court determine, adjudge, and decree that Defendant
3 Richard S. Rodriguez is indebted to the United States for unpaid civil penalty
4 liabilities under 26 U.S.C. § 6702 for tax years 2005, 2006, and 2007, described in
5 paragraph 43, above, in the amount of \$13,308.73 as of January 31, 2018, less any
6 subsequent payment or credits, plus interest and other statutory additions, as
7 provided by law, and that judgment in that amount be entered against Defendant
8 Richard S. Rodriguez and in favor of the United States;

9 C. That this Court determine, adjudge, and decree that Defendant Shonna
10 L. Rodriguez is indebted to the United States for unpaid civil penalty liabilities
11 under 26 U.S.C. § 6702 for tax years 2005, 2006, and 2007, described in paragraph
12 44, above, in the amount of \$20,312.16 as of January 31, 2018, less any subsequent
13 payment or credits, plus interest and other statutory additions, as provided by law,
14 and that judgment in that amount be entered against Defendant Shonna L.
15 Rodriguez and in favor of the United States;

16 D. That this Court determine, adjudge, and decree that the United States
17 has valid and subsisting tax and judgment liens against all property and rights to
18 property of Defendants Richard S. Rodriguez and Shonna L. Rodriguez, including
19 but not limited to, their interest in the Subject Properties.

20 E. That this Court determine, adjudge, and decree that Defendant The

1 Rodriguez Family Living Trust and Defendant The Yakima Familia Outreach
2 Trust, are the nominees and/or alter-egos of Defendants Richard S. Rodriguez and
3 Shonna L. Rodriguez, and neither Defendant The Rodriguez Family Living Trust
4 nor Defendant The Yakima Familia Outreach Trust is a purchaser of the Subject
5 Properties as that term is defined in 26 U.S.C. § 6323(h)(6);

6 F. That this Court determine, adjudge, and decree that the purported
7 conveyance of the Subject Properties to Defendant The Rodriguez Family Living
8 Trust was a fraudulent conveyance and of no effect as to the lien claims of the
9 United States, and that it be set aside;

10 G. That this Court determine, adjudge, and decree that the purported
11 conveyance of the Subject Properties to Defendant The Yakima Familia Outreach
12 Trust was a fraudulent conveyance and of no effect as to the lien claims of the
13 United States, and that it be set aside;

14 H. That this Court determine, adjudge, and decree that any claim to or
15 interest in the Subject Properties by Defendant The Rodriguez Family Living Trust
16 and Defendant The Yakima Familia Outreach Trust is fraudulent and/or non-
17 existent;

18 I. That this Court determine the interests of the other named defendants
19 in the Subject Property and their respective priority to a distribution of proceeds
20 from a sale of the Subject Properties;

J. That the federal tax and judgment liens against Defendants Richard S. Rodriguez and Shonna L. Rodriguez encumbering the Subject Properties be foreclosed;

K. That the Subject Properties be sold with the proceeds applied to the delinquent federal tax liabilities of Defendants Richard S. Rodriguez and Shonna L. Rodriguez, described in paragraphs 42-44, above; and

L. That the United States be awarded its costs and attorney's fees herein, and such other and further relief as this Court deems just and proper.

DATED this 13th day of March, 2018.

Respectfully Submitted,

RICHARD E. ZUCKERMAN
Principal Deputy Assistant Attorney General

s/ Yen Jeannette Tran

YEN JEANNETTE TRAN
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 683, Ben Franklin Station
Washington, D.C. 20044-0683
Telephone: (202) 616-3366
Facsimile: (202) 307-0554
y.jeannette.tran@usdoj.gov

JOSEPH H. HARRINGTON
United States Attorney,
Eastern District of Washington
Of Counsel

Attorneys for the United States of America

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Yen Jeannette Tran, U.S. Dept. of Justice, Tax Division
P.O. Box 683, Washington, D.C. 20044
(202) 616-3366

DEFENDANTS

Richard S. Rodriguez a.k.a. Richard S. Rodriguez; Shonna L. Rodriguez a.k.a. Shonna L. Rodriguez; The Rodriguez Family Living Trust; The Yakima Familia Outreach Trust; Yakima County; et al.

County of Residence of First Listed Defendant Yakima
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input checked="" type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

26 U.S.C. §§ 7401, 7402, 7403

Brief description of cause:

Reduce tax liabilities to judgment, determine that Rodriguezes are true owners of property, foreclose tax liens

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

297,728.22

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

03/13/2018

SIGNATURE OF ATTORNEY OF RECORD

s/ Yen Jeannette Tran

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

United States of America

Plaintiff(s)

v.

Richard S. Rodriguez a.k.a. Richard S. Rodriguez; Shonna
L. Rodriguez a.k.a. Shonna L. Rodriguez; The Rodriguez
Family Living Trust; The Yakima Familia Outreach Trust;
Yakima County; Wells Fargo Home Mortgage, Inc.; et al.

Defendant(s)

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) Civil Action No. 1:18-cv-03038
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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Richard S. Rodriguez a.k.a. Richard S. Rodriguez
12190 Mieras Road
Yakima, WA 98901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Yen Jeannette Tran
U.S. Department of Justice, Tax Division
P.O. Box 683
Washington, D.C. 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

United States of America

Plaintiff(s)

v.

Richard S. Rodriguez a.k.a. Richard S. Rodriguez; Shonna
L. Rodriguez a.k.a. Shonna L. Rodriguez; The Rodriguez
Family Living Trust; The Yakima Familia Outreach Trust;
Yakima County; Wells Fargo Home Mortgage, Inc.; et al.

Defendant(s)

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) Civil Action No. 1:18-cv-03038
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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Shonna L. Rodriguez a.k.a. Shonna L. Rodriguez
12190 Mieras Road
Yakima, WA 98901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Yen Jeannette Tran
U.S. Department of Justice, Tax Division
P.O. Box 683
Washington, D.C. 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

 Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

 Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

United States of America

Plaintiff(s)

v.

Richard S. Rodriguez a.k.a. Richard S. Rodriquez; Shonna
L. Rodriguez a.k.a. Shonna L. Rodriquez; The Rodriguez
Family Living Trust; The Yakima Familia Outreach Trust;
Yakima County; Wells Fargo Home Mortgage, Inc.; et al.

Defendant(s)

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) Civil Action No. 1:18-cv-03038
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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The Yakima Familia Outreach Trust
Registered Agent: "Richard Rodriquez"
12190 Mieras Road
Yakima, WA 98901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Yen Jeannette Tran
U.S. Department of Justice, Tax Division
P.O. Box 683
Washington, D.C. 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

United States of America

Plaintiff(s)

v.

Richard S. Rodriguez a.k.a. Richard S. Rodriguez; Shonna
L. Rodriguez a.k.a. Shonna L. Rodriguez; The Rodriguez
Family Living Trust; The Yakima Familia Outreach Trust;
Yakima County; Wells Fargo Home Mortgage, Inc.; et al.

Defendant(s)

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) Civil Action No. 1:18-cv-03038
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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Yakima County
128 North Second Street
Yakima Courthouse, Room 115
Yakima, WA 98901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Yen Jeannette Tran
U.S. Department of Justice, Tax Division
P.O. Box 683
Washington, D.C. 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

 Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

United States of America

Plaintiff(s)

v.

Richard S. Rodriguez a.k.a. Richard S. Rodriguez; Shonna
L. Rodriguez a.k.a. Shonna L. Rodriguez; The Rodriguez
Family Living Trust; The Yakima Familia Outreach Trust;
Yakima County; Wells Fargo Home Mortgage, Inc.; et al.

Defendant(s)

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) Civil Action No. 1:18-cv-03038
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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Wells Fargo Home Mortgage, Inc.
Registered Agent: CORPORATION SERVICE COMPANY
300 Deschutes Way SW, Ste. 304
Tumwater, WA 98501

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Yen Jeannette Tran
U.S. Department of Justice, Tax Division
P.O. Box 683
Washington, D.C. 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

 Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

United States of America

Plaintiff(s)

v.

Richard S. Rodriguez a.k.a. Richard S. Rodriguez; Shonna
L. Rodriguez a.k.a. Shonna L. Rodriguez; The Rodriguez
Family Living Trust; The Yakima Familia Outreach Trust;
Yakima County; Wells Fargo Home Mortgage, Inc.; et al.

Defendant(s)

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) Civil Action No. 1:18-cv-03038
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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Green Tree Servicing, LLC
345 St. Peter Street
St. Paul, MN 55102

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Yen Jeannette Tran
U.S. Department of Justice, Tax Division
P.O. Box 683
Washington, D.C. 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

 Date

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

United States of America

Plaintiff(s)

v.

Richard S. Rodriguez a.k.a. Richard S. Rodriguez; Shonna
L. Rodriguez a.k.a. Shonna L. Rodriguez; The Rodriguez
Family Living Trust; The Yakima Familia Outreach Trust;
Yakima County; Wells Fargo Home Mortgage, Inc.; et al.

Defendant(s)

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) Civil Action No. 1:18-cv-03038
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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Chase Bank USA, N.A.
201 North Walnut Street
Wilmington, DE 19801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Yen Jeannette Tran
U.S. Department of Justice, Tax Division
P.O. Box 683
Washington, D.C. 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

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Server's signature

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Defendant(s)

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) Civil Action No. 1:18-cv-03038
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SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* First National Bank of Omaha
1620 Dodge Street
Omaha, NE 68197

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Yen Jeannette Tran
U.S. Department of Justice, Tax Division
P.O. Box 683
Washington, D.C. 20044

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

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☐ I served the summons on *(name of individual)* _____, who is
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☐ I returned the summons unexecuted because _____; or

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Printed name and title

Server's address

Additional information regarding attempted service, etc:

SEAN F. McAVOY, Clerk

Civil Action No. 1:18-cv-03038

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